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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,809	06/28/2001	Manish S. Prabhu	MS174294.1	7096
27195	7590	01/26/2005	EXAMINER	
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			TRUONG, LECHI	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/893,809	MANISH S. PRABHU
	Examiner LeChi Truong	Art Unit 2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 23 August 2004.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-27 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-27 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 09 12/2003.
- 4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## DETAILED ACTION

1. Claims 1-27 are presented for the examination.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - a. The claim language in the following claims is not clearly understood:
    - i. As to claims 1 and 8, it is not clearly understood what the data types mean? (i.e. integers or string...).
3. Claims 1 and 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
  - a. As to claims 1 and 8, the term “ command aspect” was not described in the specification.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kind (US. Patent 6,415,434 B1).

5. **As to claim 1**, Kind teaches the invention substantially as claimed including: a first entity (application programming interface file 128, col 4, ln 35-55/ Fig. 1/ client side 30, col 6, ln 65-67/ Fig. 3), a second entity (target method 100, col 4, ln 40-55, Fig. 1), data type (data type, col 3, ln 50-60/ col 5, ln 1-5/ col 10, ln 55-65), mismatched (if there is no exact method, col 4, ln 45-60/ col 3, ln 35-40), a data type identifier adapted (method get Method 112, col 4, ln 45-55/ Fig. 1/ type checking , col 2, ln 55- 60), resolvable data type (resolved method 116, Fig.1), identify( determine, col 4, ln 45-55), a data type revolver adapter( a revolver 104, col 35-60), resolving the mismatched data type( find the best method by accessing 120 inheritance relationships and conversion tables 118, col 4, ln 50-60/ col 4, ln 64-68/ col 5, ln 1-10/ col 11, ln 56-65/ col 10, ln 45-63), a data type identifier that identifier whether the first entity and the second entity have a mismatched resolvable data type( col 4, ln 45-50 and col 3, ln 34-38/ col 16, ln 32-38), the at least one common aspect( a number of methods, col 3, ln 31-33/methods , col 3, ln 47-48/ an exact method, col 3, ln 35-40/ the best method, col 4, ln 50), resolving the mismatched datatype in accordance with the at least one common aspect( col 3, ln 35-40/ col 16, ln 32-37/ col 10, ln 34-40) . Kind does not explicit teach the term facilitating interactions. However, Kind teaches

facilitating (reusing the same method name for a method that accept different parameter types, col 1, ln 37-43). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to apply the teaching of Kind because Kind's reusing would allows a programmer to reuse the full functionality of a method on different parameter data types without having to create unique method names for each data types.

6. **As to claim 2**, Kind teaches a client (client machine 300, Fig. 3), a server (server, Fig. 3).
7. **As to claim 3**, Kind teaches at least one common aspect comprising data and behavior (Object 1 of type circle, col 11, and ln 47-55/ X (int XA, int XB, int XC, col 10, and ln 60-64).
8. **As to claim 4**, Kind teaches the metadata facilitates identifying (col 10, ln 45-47).
9. **As to claim 5**, Kind teaches a metadata reader adapter (accessing 120, col 4, ln 50-55), metadata (candidate method, col 4, ln 55), a resolvable data type (target method parameter, col 4, ln 50-55), attribute identifying subsystem (col 4, ln 45-50), an attribute populating subsystem (inheritance relationship and conversion tables 118, col 4, ln 50-55, Fig. 1)
10. **As to claim 6**, Kind teaches a proxy (a proxy, col 6, ln 48-50), data type is adapted to be incrementally extensible (col 6, ln 48-52).
11. **As to claim 7**, Kind teaches an as need basis (a marker that indicated whether serialization is allowed on a given data type, col 7, ln 30-34).
12. **As to claim 8**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.
13. **As to claim 9**, Kind teaches a first entity (application programming interface file 128, col 4, ln 35-55/ Fig. 1/ client side 30, col 6, ln 65/67/ Fig. 3), a second entity (target method 100, col 4, ln 40-55, Fig. 1), a first data type (parameter, col 10, ln 30-44), a second data type (a the

parameter of the target method, col 10, ln 40-44/ col 10, ln 45-63), comparing (match, col 10, ln 30-45), an object of a third data type (the first data type is assigned to a second data type, col 10, ln 55-64/ a candidate methods is a method comprising parameters , col 10, ln 45-64), feature common ( inherent, col 10, ln 55-60).

14. **As to claims 10, 11,** they are apparatus claims of claims 2,3; therefore, they are rejected for the same reasons as claims 2,3 above.

15. **As to claims 12, 13,** Kind teaches identifying, comparing one or more attributes or method associated with first data type and the second data type (col 11, ln 46-55/ col 12, ln 10-20/ col 10, ln 35-45).

16. **As to claim 14,** it is an apparatus claim of claim 5; therefore, they are rejected for the same reason as claim 5 above.

17. **As to claim 15,** Kind teaches one or more method link (a first data type can be assigned to second data type, col 10, ln 55-62).

18. **As to claims 16, 17, 18,** they are apparatus claims of claims 6, 7; therefore, they are rejected for the same reasons as claims 6,7 above.

19. **As to claim 19,** it is an apparatus claim of claim 9; therefore, it is rejected for the same reason as claim 9 above.

20. **As to claims 20, 21, 22,** they are apparatus claims of claims 6,7; therefore, they are rejected for the same reasons as claims 6,7.

21. **As to claim 23,** Kind teaches first fields (a target method, col 11, ln 46-56), information concerning attributes (parameter, col 10, ln 50-55/ parameter Obj 1, col 11, ln 46-56), a first data type (type circle, col 11, ln 46-45), data type is adapted to be incrementally extensible (col 6, ln

48-52), a marker that indicated whether serialization is allowed on a given data type, col 7, ln 30-34), one or more fields (a candidate method, col 11, ln 46-55), information concerning method (parameter object 2, col 11, ln 46-55), associated with first data type( Circle is a subclass of Shape, col 11 , ln 35-40), resolved with a second data type having at least one common aspect with the first data type( col 10, ln 50-55/ col 11, ln 60-65/ col 10, ln 38-46/ col 4, ln 51-56).

22. **As to claims 24, 25,** Kind teaches one or more third fields / four fields (a list of candidate method, col 10, ln 45-50), in formation concerning one or more data type (col 10, ln 55-60).

23. **As to claims 26, 27,** they are apparatus claims of claims 19, 22; therefore, they are rejected for the same reasons as claims 19, 22 above.

#### **Response to the argument**

24. Applicant amendment filed on 08/23/2004 has been considered but they are not persuasive:

Applicant argued in substance that:

(1) “ unlike the present invention that discloses and claims comparing and resolving data types based upon commonality to facilitate interaction”.

(2) “ does not disclose, teach or suggest a system and/or method of “ facilitating interartions” between a client and a server”.

(3) “ Kind fails to teach or suggest a data type identifier adapted to indentify whether the first entity and the second entity have a mismatched resolvable data type”

25. Examiner respectfully traverses Applicant's remarks:

As to the point 1, Kind teaches selecting an exact method wherein( col 16, ln 36), and resover data type by invoker the method getMostspecific Method 106 of the resolver 104 to select the best method for the taget method, fig. 1, col 10, ln 45-52/ col 3, ln 35-40). Kind also teaches searching through the list of all methods of the target method's class 124 for a method having the same name and same number of parameters. For each method having the same name and same number of parameters that exactly match the parameter of the target method( col 10, ln 34-43). The extract method , parameter and the best method are common aspect ,

As to the point 2, Kind teaches each application usable object 418 is then passed to the resolver 420. In a preferred embodiment, a packager 318 is used by the proxy on a server, and an Extractor 320 is used by a method UISend data on a client, col 7, ln 61-65/ Fig. 3).

As to the point 3, Kind teaches the getMethod 112 is a data type indentifer since getmethod 112 is used to derminine if there is no extract method for the target method when there is no matching between the data type of extract method and target method , col 3, ln 35-40 and col 4, ln 45-50). Kink also teaches type checking ( col 2, ln 55- 60), the type checking compares the data type of extract method and data type of target method to see if they have the same data types.

**26. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

January 21, 2005



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